

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114

PUBLIC HEARING
concerning

CONSIDERATION OF AMENDMENT TO WASTE DISCHARGE REQUIREMENTS
AND
CONSIDERATION OF AMENDMENT TO CEASE AND DESIST ORDER
for

**EL DORADO IRRIGATION DISTRICT
DEER CREEK WASTEWATER TREATMENT PLANT
EL DORADO COUNTY**

WDR Order No. R5-2002-0210 contains receiving water limitations in Deer Creek for pH, turbidity, and temperature with which the El Dorado Irrigation District has not been able to comply. Cease and Desist Order No. R5-2002-0211, adopted by the Regional Board on 6 December 2002, included a time schedule for completion of Basin Plan Amendments (BPA) for site-specific pH, turbidity, and temperature objectives for Deer Creek. The Regional Board adopted BPAs for pH and turbidity on 19 July 2002 and for temperature on 31 January 2003. In the Basin Planning Process, these BPAs must be approved by the State Water Resources Control Board (State Board), State of California Office of Administrative Law, and US EPA before the BPAs become effective. The pH and turbidity amendments became effective on 22 January 2003 and the Discharger must now comply with them. Amendments are proposed for Waste Discharge Requirements Order No. R5-2002-0210 to incorporate the recent BPAs for pH and turbidity water quality objectives into the Findings and Receiving Water Limitations. Due to the length of the BPA approval process, the time schedule in CDO No. R5-2002-0211 Amendment 1 will not accommodate the remaining BPA approval process for temperature and must be amended.

A **formal** public hearing concerning this matter will be held during the Regional Board meeting, which is scheduled for:

DATE: 17/18 March 2005 (THIS IS A POSTPONEMENT BY ONE WEEK
FROM THE ORIGINAL NOTICE FOR THIS HEARING.)
TIME: 8:30 am
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Board
- Staff of El Dorado Irrigation District, Deer Creek Wastewater Treatment Plant
- Persons directly affected by this discharge

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Board no later than **1 March 2005**. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The tentative Resolution to amend Waste Discharge Requirements Order No. R5-2002-0210 and the tentative Resolution to amend Cease and Desist Order No. R5-2002-0211 Amendment 1 were issued on **28 January 2005**. Persons wishing to comment on this noticed hearing item must submit testimony, evidence, if any, and comments in writing to the Regional Board no later than **15 February 2005**. Written evidence or comments submitted after **15 February 2005** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All designated parties and interested persons may speak at the Regional Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross-examination will be limited in time by the Board Chair.

Anyone having questions on the proposed amendments should contact Elizabeth Thayer at (916) 464-4671. Interested parties may download the proposed Order and related documents from the Regional Board's Internet website at <http://www.swrcb.ca.gov/rwqcb5/tentative/>. If you do not have Internet access, these documents may be inspected and copied at the Regional Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m. by appointment.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq. The procedures may be obtained by accessing http://www.swrcb.ca.gov/water_laws/index.html. Information on meeting and hearing procedures is also available on the Regional Board's website at http://www.swrcb.ca.gov/rwqcb5/board_meetings/mtgprocd.html or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Janice Tanaka at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Janice Tanaka at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

KENNETH D. LANDAU, Assistant Executive Officer